

EXHIBIT B

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

DATE: January 27, 2012

JUDGE
MICHAEL H. SCHNEIDER

COURTROOM DEPUTY: Linda Pritchard
COURT REPORTER: Jan Mason

SIMPLEAIR, INC.

§

Plaintiff,

§

CIVIL ACTION NO. 2:09-CV-289-MHS

v.

§

**AWS CONVERGENCE
TECHNOLOGIES, INC., et al.,**

§

JURY TRIAL DEMANDED

Defendants.

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§

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DEFENDANT APPLE INC.'S TRIAL WITNESS LIST

Reserving the right to amend or supplement, Apple Inc. (“Apple”), defendant in the above-entitled and numbered civil action, identifies the below witnesses for trial. We reserve the right to call any of the witnesses on SimpleAir’s trial witness list.

WITNESS LIST				
	WITNESS	Will Call	May Call	May, but probably not call
1	<p>James Callendar</p> <p>c/o Ryan J. Casamiquela KIRKLAND & ELLIS LLP 555 California Street, Suite 2700 San Francisco, California 94104 Telephone: (415) 439-1400</p> <p>Testimony generally may concern technical issues concerning the accused products, marketing and sales of accused products, third parties relating to the accused instrumentalities, including carriers, licensing, Apple innovation, research and development, prior art, and/or additional topics.</p> <p>This witness has been deposed.</p> <p>The expected duration of direct and cross examination of the witness: 1-4 hours.</p>		X	
2	<p>Darryl Bleau</p> <p>c/o Ryan J. Casamiquela KIRKLAND & ELLIS LLP 555 California Street, Suite 2700 San Francisco, California 94104 Telephone: (415) 439-1400</p> <p>Testimony generally may concern technical issues concerning the accused products, marketing and sales of accused products, third parties relating to the accused instrumentalities, including carriers, licensing, Apple innovation, research and development, prior art, and/or additional topics.</p> <p>This witness has been deposed.</p> <p>The expected duration of direct and cross examination of the witness: 1-4 hours.</p>		X	

3	<p>Steve Sinclair</p> <p>c/o Ryan J. Casamiquela KIRKLAND & ELLIS LLP 555 California Street, Suite 2700 San Francisco, California 94104 Telephone: (415) 439-1400</p> <p>Testimony generally may concern technical issues concerning the accused products, marketing and sales of accused products, third parties relating to the accused instrumentalities, including carriers, licensing, Apple innovation, research and development, prior art, and/or additional topics.</p> <p>This witness has been deposed.</p> <p>The expected duration of direct and cross examination of the witness: 1-4 hours.</p>		X	
4	<p>Ziv Wolkowicki</p> <p>c/o Ryan J. Casamiquela KIRKLAND & ELLIS LLP 555 California Street, Suite 2700 San Francisco, California 94104 Telephone: (415) 439-1400</p> <p>Testimony generally may concern technical issues concerning the accused products, marketing and sales of accused products, third parties relating to the accused instrumentalities, including carriers, licensing, Apple innovation, research and development, prior art, and/or additional topics.</p> <p>This witness has been deposed.</p> <p>The expected duration of direct and cross examination of the witness: 1-4 hours.</p>		X	

5	<p>Beth Kellermann</p> <p>c/o Ryan J. Casamiquela KIRKLAND & ELLIS LLP 555 California Street, Suite 2700 San Francisco, California 94104 Telephone: (415) 439-1400</p> <p>Testimony generally may concern technical issues concerning the accused products, marketing and sales of accused products, third parties relating to the accused instrumentalities, including carriers, licensing, Apple innovation, research and development, prior art, and/or additional topics.</p> <p>This witness has been deposed.</p> <p>The expected duration of direct and cross examination of the witness: 1-4 hours.</p>		X	
6	<p>Kris Bell</p> <p>c/o Ryan J. Casamiquela KIRKLAND & ELLIS LLP 555 California Street, Suite 2700 San Francisco, California 94104 Telephone: (415) 439-1400</p> <p>Testimony generally may concern technical issues concerning the accused products, marketing and sales of accused products, third parties relating to the accused instrumentalities, including carriers, licensing, Apple innovation, research and development, prior art, and/or additional topics.</p> <p>This witness has been deposed.</p> <p>The expected duration of direct and cross examination of the witness: 1-4 hours.</p>		X	

7	<p>Jeff Davey</p> <p>c/o Ryan J. Casamiquela KIRKLAND & ELLIS LLP 555 California Street, Suite 2700 San Francisco, California 94104 Telephone: (415) 439-1400</p> <p>Testimony generally may concern technical issues concerning the accused products, marketing and sales of accused products, third parties relating to the accused instrumentalities, including carriers, licensing, Apple innovation, research and development, prior art, and/or additional topics.</p> <p>This witness has been deposed.</p> <p>The expected duration of direct and cross examination of the witness: 1-4 hours.</p>		X	
8	<p>Chip Lutton</p> <p>c/o Ryan J. Casamiquela KIRKLAND & ELLIS LLP 555 California Street, Suite 2700 San Francisco, California 94104 Telephone: (415) 439-1400</p> <p>Testimony generally may concern technical issues concerning the accused products, marketing and sales of accused products, third parties relating to the accused instrumentalities, including carriers, licensing, Apple innovation, research and development, prior art, and/or additional topics.</p> <p>This witness has been deposed.</p> <p>The expected duration of direct and cross examination of the witness: 1-4 hours.</p>		X	

9	<p>Patrick Gates</p> <p>c/o Ryan J. Casamiquela KIRKLAND & ELLIS LLP 555 California Street, Suite 2700 San Francisco, California 94104 Telephone: (415) 439-1400</p> <p>Testimony generally may concern technical issues concerning the accused products, marketing and sales of accused products, third parties relating to the accused instrumentalities, including carriers, licensing, Apple innovation, research and development, prior art, and/or additional topics.</p> <p>This witness has been deposed.</p> <p>The expected duration of direct and cross examination of the witness: 1-4 hours.</p>		X	
10	<p>Phillip Shoemaker</p> <p>c/o Ryan J. Casamiquela KIRKLAND & ELLIS LLP 555 California Street, Suite 2700 San Francisco, California 94104 Telephone: (415) 439-1400</p> <p>Testimony generally may concern technical issues concerning the accused products, marketing and sales of accused products, third parties relating to the accused instrumentalities, including carriers, licensing, Apple innovation, research and development, prior art, and/or additional topics.</p> <p>This witness has been deposed.</p> <p>The expected duration of direct and cross examination of the witness: 1-4 hours.</p>		X	

11	<p>Steven Leung</p> <p>c/o Ryan J. Casamiquela KIRKLAND & ELLIS LLP 555 California Street, Suite 2700 San Francisco, California 94104 Telephone: (415) 439-1400</p> <p>Testimony generally may concern marketing and sales of accused products, third parties relating to the accused instrumentalities, including carriers, licensing, Apple innovation, research and development, and/or additional topics.</p> <p>This witness has been deposed.</p> <p>The expected duration of direct and cross examination of the witness: 1-4 hours.</p>		X	
12	<p>Chris Marcellino</p> <p>Cleveland, OH</p> <p>Testimony generally may concern technical issues concerning the accused products, marketing and sales of accused products, third parties relating to the accused instrumentalities, including carriers, licensing, Apple innovation, research and development, prior art, and/or additional topics.</p> <p>This witness has not been deposed.</p> <p>The expected duration of direct and cross examination of the witness: 1-4 hours.</p>		X	
13	<p>Dave Rothschild</p> <p>Motorola Mobility San Francisco Bay Area</p> <p>Testimony may relate to the Apple Mobile Messaging System, which serves as prior art to the patents at issue.</p> <p>This witness has not been deposed.</p> <p>The expected duration of direct and cross examination of the witness: 1-4 hours.</p>		X	

14	<p>Brian Cassidy</p> <p>c/o Ryan J. Casamiquela KIRKLAND & ELLIS LLP 555 California Street, Suite 2700 San Francisco, California 94104 Telephone: (415) 439-1400</p> <p>Testimony generally may concern technical issues concerning the accused products, marketing and sales of accused products, third parties relating to the accused instrumentalities, including carriers, licensing, Apple innovation, research and development, prior art, and/or additional topics.</p> <p>This witness has not been deposed.</p> <p>The expected duration of direct and cross examination of the witness: 1-4 hours</p>		X	
15	<p>Dr. Stephen Wicker</p> <p>Cornell University Frank H T Rhodes Hall, Room 386 Ithaca, NY 14853</p> <p>Testimony: Apple's expert on non-infringement and invalidity issues.</p> <p>This witness has been deposed.</p> <p>The expected duration of direct and cross examination of the witness: 1-4 hours.</p>	X		
16	<p>William Hays</p> <p>2345 Twin Lakes Circle Jackson, Mississippi 39211</p> <p>Testimony concerning the prior art to the patents-in-suit, Internet and wireless messaging, and/or additional topics.</p> <p>This witness has been deposed.</p> <p>The expected duration of direct and cross examination of the witness: 1-4 hours.</p>		X	

17	<p>Dr. Ray Perryman</p> <p>Waco, Texas</p> <p>Testimony: Apple's expert on damages issues and related testimony.</p> <p>This witness has his deposition scheduled for January 31, 2012.</p> <p>The expected duration of direct and cross examination of the witness: 1-4 hours.</p>	X		
18	<p>Jason Katz</p> <p>New York, New York (or surrounding area)</p> <p>Testimony may concern patents-in-suit, subject matter of the patents, accused products, AirMedia Inc., and/or additional topics.</p> <p>This witness has not been deposed.</p> <p>The expected duration of direct and cross examination of the witness: 1-4 hours.</p>		X	
19	<p>John Payne (live or by deposition, including video)</p> <p>Testimony may concern patents-in-suit, subject matter of the patents, accused products, AirMedia Inc., SimpleAir, Inc., licensing, and/or additional topics.</p> <p>This witness has been deposed.</p> <p>The expected duration of direct and cross examination of the witness: 1-4 hours.</p>		X	
20	<p>Tim von Kaenel (live or by deposition, including video)</p> <p>Testimony may concern patents-in-suit, their subject matter of the patents, accused products, AirMedia Inc., SimpleAir, Inc., licensing, and/or additional topics.</p> <p>This witness has been deposed.</p> <p>The expected duration of direct and cross examination of the witness: 1-4 hours.</p>		X	

21	<p>Seth Weisberg (live or by deposition, including video)</p> <p>Testimony may concern patents-in-suit, their subject matter of the patents, SimpleAir, licensing, and/or additional topics.</p> <p>This witness has been deposed.</p> <p>The expected duration of direct and cross examination of the witness: 1-4 hours.</p>		X	
22	<p>Hal Hirsch (by deposition, including video)</p> <p>New York surrounding area.</p> <p>Testimony may concern the value of the patents, along with their transactional history, and/or additional topics.</p> <p>This witness has been deposed.</p> <p>The expected duration of direct and cross examination of the witness: less than 1 hour.</p>		X	
23	<p>Yann Geron (by deposition, including video)</p> <p>Fox Rothschild LLP 100 Park Avenue, Suite 1500 New York, New York 10017</p> <p>Testimony may concern the value of the patents, along with their transactional history, and/or additional topics.</p> <p>This witness has been deposed.</p> <p>The expected duration of direct and cross examination of the witness: less than 1 hour</p>		X	
24	<p>Dr. Steven Shugan</p> <p>University of Florida, Warrington College of Business Administration Department of Marketing PO Box 117155 201B BRY Gainesville, Florida 32611-7155</p> <p>Testimony: Apple's expert on damages-related issues.</p> <p>This witness has been deposed.</p> <p>The expected duration of direct and cross examination of the witness: 1-4 hours.</p>		X	

25	<p>Joe Hewitt (live or by deposition, including video)</p> <p>134 Hernandez Avenue Los Gatos, CA 95030-5808</p> <p>Testimony may concern Facebook, Inc., the Facebook application for iOS devices, licensing, and/or related topics.</p> <p>This witness has been deposed.</p> <p>The expected duration of direct and cross examination of the witness: 1-2 hours.</p>		X	
26	<p>Owen Yamauchi (live or by deposition, including video)</p> <p>443 Ventura Avenue, Apt. 13 Palo Alto, CA 94306-3499</p> <p>Testimony may concern Facebook, Inc., the Facebook application for iOS devices, licensing, and/or related topics.</p> <p>This witness has been deposed.</p> <p>The expected duration of direct and cross examination of the witness: 1-2 hours.</p>		X	
27	<p>Erick Tseng (live or by deposition, including video)</p> <p>1 Saint Francis Place Apt. 1507 San Francisco, CA 94107-1330</p> <p>Testimony may concern Facebook, Inc., the Facebook application for iOS devices, licensing, and/or related topics.</p> <p>This witness has been deposed.</p> <p>The expected duration of direct and cross examination of the witness: 1-2 hours.</p>		X	

Respectfully submitted,



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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this notice was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email, on this the 27th day of January, 2012.



Eric M. Albritton